

1FW #3837

PATENT



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Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 12, 2005

William R. Allen
William R. Allen, Reg. No. 48,389
12 September 2005
Date

Applicants: Stern et al.
Serial No: 10/072,610
Filing Date: February 6, 2002
Art Unit: 3837
Examiner: Peter J. Vrettakos
Confirmation No.: 2778
Title: HANDPIECE FOR TREATMENT OF TISSUE
Atty Docket: 39238-0747 (THERM-06)

Cincinnati, OH

September 12, 2005

Mail Stop Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the duty of candor and good faith imposed by 37 C.F.R. §1.56 and means of complying therewith according to 37 C.F.R. §§1.97 and 1.98, the references listed on the attached Form PTO-1449 are called to the attention of the United States Patent and Trademark Office in connection with the above-identified patent application. Copies of the cited references are enclosed herewith.

The Examiner is urged to consider all of the cited documents and to make an independent evaluation of the teachings and materiality of each.

A check in the amount of \$180.00 is enclosed for this submission. Applicants do not believe that any further fees are due in connection with this communication; however, the Commissioner is authorized to charge deposit account 23-3000 for any required fees.

Respectfully submitted,
WOOD, HERRON & EVANS, L.L.P.

By: William R. Allen
William R. Allen
Reg. No. 48,389

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| SUBSTITUTE FORM PTO-1449 (MODIFIED) | | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE | | | | | | ATTY. DOCKET NO. THERM/06 | | SERIAL NO. 10/072,610 | |
| INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use several sheets if necessary) | | | | | | | | APPLICANT Roger A. Stern, et al. | | | |
| | | | | | | | | FILING DATE February 6, 2002 | | GROUP 3837 | |
| 37 CFR 1.98(b) PATENT AND TRADEMARK OFFICE | | | | | | | | | | | |

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | PATENT NUMBER | | | | | | ISSUE DATE | PATENTEE | | CLASS | SUBCLASS | FILING DATE IF APPROPRIATE |
|------------------|-----|---------------|---|---|---|---|---|------------|------------|----------|-------|----------|----------------------------|
| | A.A | 5 | 6 | 6 | 0 | 8 | 3 | 6 | 8/26/1997 | Knowlton | 424 | 400 | 5/5/1995 |
| | A.B | 5 | 9 | 1 | 9 | 2 | 1 | 9 | 7/6/1999 | Knowlton | 607 | 102 | 8/19/1997 |
| | A.C | 5 | 9 | 4 | 8 | 0 | 1 | 1 | 9/7/1999 | Knowlton | 607 | 101 | 10/28/1997 |
| | A.D | 6 | 2 | 4 | 1 | 7 | 5 | 3 | 6/5/2001 | Knowlton | 607 | 99 | 1/5/1996 |
| | A.E | 6 | 3 | 1 | 1 | 0 | 9 | 0 | 10/30/2001 | Knowlton | 607 | 101 | 8/23/1999 |
| | A.F | 6 | 3 | 5 | 0 | 2 | 7 | 6 | 2/26/2002 | Knowlton | 607 | 104 | 6/30/1999 |
| | A.G | 6 | 3 | 7 | 7 | 8 | 5 | 4 | 4/23/2002 | Knowlton | 607 | 101 | 12/15/1997 |
| | A.H | 6 | 3 | 7 | 7 | 8 | 5 | 5 | 4/23/2002 | Knowlton | 607 | 101 | 1/6/1998 |
| | A.I | 6 | 3 | 8 | 1 | 4 | 9 | 8 | 4/30/2002 | Knowlton | 607 | 101 | 1/6/1998 |
| | A.J | 6 | 3 | 8 | 1 | 4 | 9 | 7 | 4/30/2003 | Knowlton | 607 | 101 | 1/6/1998 |
| | A.K | 6 | 3 | 8 | 7 | 3 | 8 | 0 | 5/14/2002 | Knowlton | 424 | 400 | 4/17/1996 |

FOREIGN PATENTS OR PUBLISHED FOREIGN PATENT APPLICATIONS

| | | DOCUMENT NUMBER | PUBLICATION DATE | COUNTRY OR PATENT OFFICE | CLASS | SUBCLASS | TRANSLATION (YES/NO) |
|--|-----|--------------------------------|------------------|--------------------------|-------|----------|----------------------|
| | A.L | Application No. PCT/US04/O9256 | N/A | PCT | N/A | N/A | N/A |
| | A.M | | | | | | |
| | A.N | | | | | | |
| | A.O | | | | | | |
| | A.P | | | | | | |
| | A.Q | | | | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

| | | |
|--|-----|--|
| | A.R | Knowlton et al., United States Patent Application Publication No. US 2004/O002704, Publication Date: 1/1/2004 |
| | A.S | Knowlton et al., United States Patent Application Publication No. US 2004/O000316, Publication Date: 1/1/2004 |
| | A.T | Knowlton et al., United States Patent Application Publication No. US 2004/O030332, Publication Date: 2/12/2004 |

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| | | (Use several sheets if necessary) | | | | | | | FILING DATE February 6, 2002 | GROUP 3837 | |
| (37 CFR 1.98(b)) | | | | | | | | | | | |

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|------------------|-----|---------------|---|---|---|---|---|---|------------|----------|--|-------|----------|----------------------------|
| | B.A | 6 | 4 | 0 | 5 | 0 | 9 | 0 | 6/11/2002 | Knowlton | | 607 | 102 | 6/30/1999 |
| | B.B | 6 | 4 | 1 | 3 | 2 | 5 | 5 | 7/2/2002 | Stern | | 606 | 41 | 3/9/2000 |
| | B.C | 6 | 4 | 2 | 5 | 9 | 1 | 2 | 7/30/2002 | Knowlton | | 607 | 101 | 9/30/1997 |
| | B.D | 6 | 4 | 3 | 0 | 4 | 4 | 6 | 8/6/2002 | Knowlton | | 607 | 101 | 3/28/1997 |
| | B.E | 6 | 4 | 5 | 3 | 2 | 0 | 2 | 9/17/2002 | Knowlton | | 607 | 102 | 9/17/1999 |
| | B.F | 6 | 7 | 4 | 9 | 6 | 2 | 4 | 6/15/2004 | Knowlton | | 607 | 104 | 12/20/2001 |
| | B.G | | | | | | | | | | | | | |
| | B.H | | | | | | | | | | | | | |
| | B.I | | | | | | | | | | | | | |
| | B.J | | | | | | | | | | | | | |
| | B.K | | | | | | | | | | | | | |

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|--|-----|-----------------|------------------|--------------------------|-------|----------|----------------------|
| | B.L | | | | | | |
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| | B.P | | | | | | |
| | B.Q | | | | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

| | |
|-----|---|
| B.R | Stern et al., <u>United States Patent Application Publication No. US 2004/0034346</u> , Publication Date: 2/19/2004 |
| B.S | Knowlton et al., <u>United States Patent Application Publication No. US 2003/0212393</u> , Publication Date: 11/13/2003 |
| B.T | Knowlton et al., <u>United States Patent Application Publication No. US 2004/0002705</u> , Publication Date: 1/1/2004 |

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| | | FILING DATE February 6, 2002 | GROUP 3837 | | |

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|------------------|-----|---------------|------------|----------|-------|----------|----------------------------|
| | C.A | | | | | | |
| | C.B | | | | | | |
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| | C.Q | | | | | | |

OTHER DOCUMENTS (Including Author, Title, Date, Place of Publication)

| | | | |
|-----|--|--|--|
| C.R | Stern et al., <u>United States Patent Application Publication No. US 2003/0216728</u> , Publication Date: 11/20/2003 | | |
| C.S | Stern et al., <u>United States Patent Application Publication No. US 2003/0199866</u> , Publication Date: 10/23/2003 | | |
| C.T | | | |

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